

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-111

v.

HONORABLE PAUL L. MALONEY

HERSCHEL BRENT MINIFEE,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Dkt. #37) is approved and adopted as the opinion of the Court.
2. Defendant's plea of guilty is accepted and defendant is adjudicated guilty of the charges set forth in Counts One and Three of the Superseding Indictment.
3. The written plea agreement is hereby continued under advisement pending sentencing.

Date: October 17, 2008

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/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge